

## REMARKS

This Response is submitted in reply to the Final Office Action dated June 3, 2009. Claims 20 and 23 to 38 are currently pending in this application. Claims 36 to 38 were previously withdrawn. Claim 20 is in independent form. No claims are being amended by this response. Please charge Deposit Account No. 02-1818 for all payments due in connection with this Response.

The Office Action rejected Claims 20, 23 to 27, 31, 32 and 35 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,606,722 to Haimi-Cohen ("Haimi-Cohen") in view of U.S. Patent No. 4,189,779 to Brantingham ("Brantingham"). Applicant respectfully disagrees with, and traverses, such rejections.

Independent Claim 20 includes, among other elements, "disabling an error concealment." As noted by the Examiner, "Haimi-Cohen does not explicitly teach the specific use of disabling error concealment" (page 6, 12-13)..

In addition, Brantingham fails to teach this claim element. The Office action states that the "Examiner introduces Brantingham as a teaching on disabling error concealment (col. 2, lines 17-20 in Brantingham teach that error concealment/interpolation is disabled for control data for voice data since concealment/interpolation doe[s] not provide useful information about control data for voice data)" (page 3, lines 8-11, emphasis added). Applicants respectfully disagree. The cited portion of Brantingham states:

The interpolator also preferably includes means for disabling the interpolation in re[p]sonse to charges from voiced to unvoiced speech and visa versa, for instance. (emphasis added)

Nothing in this portion, or any other portion of Brantingham teaches "error concealment" let alone "disabling error concealment." The interpolator of Brantingham reduces the data rate required by a speech synthesis circuit by interpolating data. In other words, Brantingham teaches the insertion of voice frames with or without errors occurring. This is not "error concealment." Error concealment is the replacement of a voice frame (possibly interpolated) when an error occurs.

Applicant submits that Haimi-Cohen and Brantingham, alone and in combination, do not disclose a method for decoding data received via a communications network, the method including "disabling an error concealment." For at least these reasons, it is respectfully submitted that independent Claim 20 is patentably distinguished over Haimi-Cohen and in condition for allowance.

All other pending claim depend either directly or indirectly from independent Claim 20 and are also allowable for the reasons given with respect to Claim 20 and because of the additional features recited in these claims.

An earnest endeavor has been made to place this application in condition for formal allowance and is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

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